

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks. Claims 1-5, 29-31, and 52-54 are currently pending. Claims 1-5, 29-31, and 52-54 are rejected. Claim 1 is amended. No new matter has been added.

CLAIM OBJECTION

Claim 1 is objected to because of informalities. Specifically, the Office Action recites “the use of the phrase ‘may be’ and ‘can be’ should be avoided since it is confusing whether the recitations following the phrase are part of the claimed invention.” Claim 1 is amended to remove the phrases “may be” and “can be.” Therefore, the undersigned representative requests that the objection to claim 1 be withdrawn.

REJECTIONS UNDER 35 U.S.C. § 102

Claims 1-5, 29-31, and 52-54 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Garuglieri (United States Pat. No. 6,021,700) (“Garuglieri”). As stated in M.P.E.P. § 2131, “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). The Applicants respectfully traverse this rejection because the cited references fail to disclose each and every claimed element of the present invention, either explicitly or implicitly.

Claims 1 and 52

The Examiner asserts that Garuglieri discloses “a saw support assembly (e.g., 26) rotatably mounted to the base assembly to rotate relative to the base assembly about a first rotational axis, a saw unit having saw blade (e.g., 36), and a bevel angle locking actuator (e.g., 172) rotating in unison with the saw support assembly about the first rotational axis.” Office Action, p. 2. The undersigned representative respectfully submits that the Examiner misapprehends the Garuglieri reference.

Claim 1 of the present application, as amended, recites, “A saw comprising: a base assembly with a top surface; a fence assembly mounted to the base assembly with a front surface positioned above the top surface of the base assembly, the front surface of the fence assembly

and the top surface of the base assembly cooperating to support a workpiece thereon; a saw support assembly rotatably mounted to the base assembly to rotate relative to the base assembly about a first rotational axis; a saw unit having a saw blade capable of turning to cut a workpiece, the saw blade defining a cutting plane that is approximately parallel to the first rotational axis, the saw unit supported by the saw support assembly above the top surface so that the saw blade is capable of being moved relative to the base assembly by a user into a workpiece resting on the top surface of the base assembly to make a cut, the saw unit and the saw support assembly rotating together about the first rotational axis to adjust the bevel angle of the saw blade; and a bevel angle locking actuator mounted to the saw support assembly, wherein the bevel angle locking actuator rotates in unison with the saw support assembly about the first rotational axis when the bevel angle of the saw blade is adjusted, and wherein the bevel angle is capable of being adjusted by a user when the bevel angle locking actuator is in an unlocked position and the bevel angle cannot be adjusted by a user when the bevel angle locking actuator is in a locked position." (emphasis added).

Garuglieri does not disclose "A saw comprising: a base assembly with a top surface; ... a saw support assembly rotatably mounted to the base assembly to rotate relative to the base assembly ... and a bevel angle locking actuator mounted to the saw support assembly..." as recited in claim 1 of the present application. Referring to Figures 1 and 2 of the present application, the saw comprises a base assembly 100 having a top surface 101, a saw support assembly 200 rotatably mounted to the base assembly 100, and a bevel angle locking actuator 290 mounted to the saw support assembly 200. In other words, the bevel angle locking actuator 290 is "attached" to the saw support assembly 200 which is "attached" to the base assembly 100. The base assembly 100 can be placed on a table or bench top. *See [0017].*

In contrast, the power saw recited in Garuglieri does not disclose "a bevel angle locking actuator mounted to the saw support assembly" but rather discloses a bevel angle locking actuator (e.g., 172) attached to a base assembly. As illustrated in Figures 1, 2a, and 2b of Garuglieri, the saw assembly 20 is pivotally mounted on the pivot support 26. C3, ll. 17-20. As shown in Figures 2a and 2b, the pivot support 26 is pivotally mounted on the workpiece support or table 16'. C4, ll. 26-30. As shown in Figures 2a and 2b, the bevel angle locking actuator 172/link pin 66 is attached to the pivot support 26. C4, ll. 17-24. Thus, the bevel angle locking actuator 172 is attached to the pivot support 26.

Comparing the saw recited in claim 1 of the present application with the saw disclosed in Garuglieri, the “bevel angle locking actuator” for each saw attaches to different components. As shown in Figure 1 of the present application, the bevel angle locking actuator 290 attaches to the saw support assembly 200 and not to the base assembly 100. As shown in Figures 2a and 2b of Garuglieri, the bevel angle locking actuator 172 attaches to the pivot support 26, e.g., the base assembly 100 and is not attached to the saw assembly 20. Hence, the bevel angle locking actuator of the present application and the bevel angle locking actuator disclosed in Garuglieri attach to different components.

This difference is further illustrated by looking at the number of components between a table or support and the bevel angle locking actuator. As shown in Figure 1 of the present application, the bevel angle locking actuator 290 is “attached” to the saw support assembly 200 which is “attached” to the base assembly 100 which can be placed on a table or bench top. As shown in Figures 2a and 2b of Garuglieri, the bevel angle locking actuator 172 is “attached” to the pivot support 26 which is pivotally mounted on the workpiece support or table 16’. Hence, not only does the bevel angle locking actuator of the present application and the bevel angle locking actuator disclosed in Garuglieri attach to different components but those components do not attach directly to a table as recited in the present application and attach directly to a table as recited in Garuglieri. As a result, Garuglieri does not disclose the bevel angle locking actuator of the claim 1. Specifically, Garuglieri does not disclose “A saw comprising: a base assembly with a top surface; ... a saw support assembly rotatably mounted to the base assembly to rotate relative to the base assembly ... and a bevel angle locking actuator mounted to the saw support assembly...” as recited in independent claim 52 of the present application.

Regarding independent claim 52, since this claim contains similar limitations as argued above with respect to independent claim 1, the same arguments apply to independent claim 52. Specifically, Garuglieri does not disclose “A saw comprising: a base assembly; ... a saw support assembly rotatably mounted to the base assembly ... and a bevel angle locking actuator mounted to the saw support assembly...”

For at least these reasons, independent claims 1 and 52, as well as dependent claims 2-5, 29-31, 53, and 54, are patentable over Garuglieri. Therefore, the undersigned representative will not address the arguments with respect to claims 2-5, 29-31, 53, and 54 and reserves the right to

address these arguments at a later time. Accordingly, it is respectfully requested that the rejection of claims 1-5, 29, 31, and 52-54 under 35 U.S.C. §102(b) be reconsidered and withdrawn.

REJECTIONS UNDER 35 U.S.C. § 103

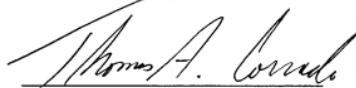
Claim 30 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Garuglieri in view of Applicant's Admitted Prior Art (AAPA). Since claim 30 is dependent on allowable independent claim 1 and since the AAPA does not cure the deficiencies of Garuglieri with respect to claim 1 as recited above, dependent claim 20 is allowable as well. Therefore, the undersigned representative will not address the arguments with respect to these claims and reserves the right to address these arguments at a later time. Accordingly, it is respectfully requested that the rejection of claim 30 under 35 U.S.C. §103(a) be reconsidered and withdrawn.

CONCLUSION

The Applicants respectfully submit that the application is in condition for allowance, and reconsideration and notice of allowance are respectfully requested. If the Examiner believes that prosecution might be advanced by discussing the application with Applicants' counsel, in person or over the telephone, Applicants' counsel would welcome the opportunity to do so.

Respectfully submitted,

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